

FILED BY *JE* D.C.

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

05 OCT 26 AM 10:54  
THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
WD OF TN, MEMPHIS

YORK INTERNATIONAL CORPORATION, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
JOHN BARBER, )  
 )  
Defendant. )

Docket No. 2:05-cv-02590-JDB-dkv

~~PROPOSE~~ RULE 16(b) SCHEDULING ORDER

Pursuant to written notice, a scheduling conference was held October 19, 2005. Present were Imad Abdullah, counsel for York International Corporation ("Plaintiff"), and Jon Harris, counsel for John Barber ("Defendant"). At the conference, the following dates were established as the final dates for:

- A. INITIAL DISCLOSURE: January 6, 2006
- B. JOINING PARTIES: January 27, 2006
- C. AMENDING PLEADINGS: January 27, 2006
- D. INITIAL MOTIONS TO DISMISS: February 27, 2006
- E. COMPLETING ALL DISCOVERY: June 30, 2006
- F. DOCUMENT PRODUCTION: March 30, 2006

G. DEPOSITIONS, INTERROGATORIES, AND REQUESTS FOR ADMISSIONS: June 30, 2006

H. EXPERT DISCLOSURE (Rule 26):

(i) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT INFORMATION: May 31, 2006

(ii) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT INFORMATION: June 30, 2006

(iii) EXPERT WITNESS DEPOSITIONS: July 30, 2006

I. FILING DISPOSITIVE MOTIONS: August 30, 2006

J. PLAINTIFF'S FINAL LISTS OF WITNESSES AND EXHIBITS UNDER RULE 26(a)(3): August 30, 2006

K. DEFENDANT'S FINAL LISTS OF WITNESSES AND EXHIBITS UNDER RULE 26(a)(3): September 30, 2006

L. PARTIES HAVE 30 DAYS AFTER SERVICE OF FINAL LISTS OF WITNESSES AND EXHIBITS TO LIST OBJECTIONS UNDER RULE 26(a)(3).

**M. OTHER RELEVANT MATTERS:**

No depositions may be scheduled to occur after June 30, 2006. All motions, requests for admission, or other filings that require a response must be filed sufficiently in advance of the

June 30, 2006 discovery deadline to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

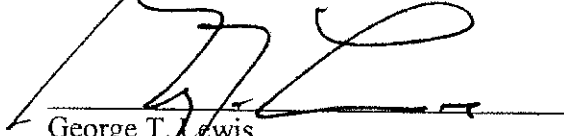
Motions to compel discovery are to be filed and served by June 30, 2006 or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the June 30, 2006, discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

*after the close of discovery, the parties will advise the court if this case is appropriate for ADR & whether court annexed mediation is requested.*

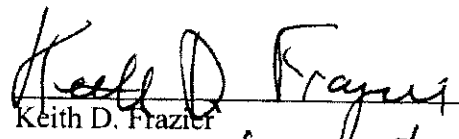
This case is set for non-jury trial, and the trial is expected to last 3 days. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.

Stipulated by the parties this 20<sup>th</sup> day of October, 2005.

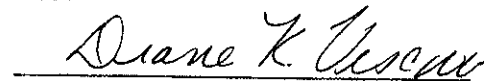
Plaintiff Counsel:

  
George T. Lewis  
(TN # 7018)

Defense Counsel:

  
Keith D. Frazier  
(TN # 12413) *by court 10/17/05 67L*

Adopted by the Court this 25<sup>th</sup> day of October, 2005.

  
Diane K. Vescovo  
U. S. Magistrate Judge



## Notice of Distribution

This notice confirms a copy of the document docketed as number 4 in case 2:05-CV-02590 was distributed by fax, mail, or direct printing on October 26, 2005 to the parties listed.

---

Kenny W. Armstrong  
CHANCERY COURT, 30TH JUDICIAL DISTRICT  
140 Adams Ave.  
Rm. 308  
Memphis, TN 38103

John B. Starnes  
BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ  
165 Madison Ave.  
Ste. 2000  
Memphis, TN 38103

Keith D. Frazier  
OGLETREE DEAKINS NASH SMOAK & STEWART  
424 Church St.  
Ste. 800  
Nashville, TN 37219

George T. Lewis  
BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ  
165 Madison Ave.  
Ste. 2000  
Memphis, TN 38103

Jonathan O. Harris  
OGLETREE DEAKINS NASH SMOAK & STEWART- Nashville  
424 Church St.  
Ste. 800  
Nashville, TN 37219

Honorable J. Breen  
US DISTRICT COURT